



STATE OF MAINE

# REAL ESTATE CANDIDATE HANDBOOK

JANUARY **2009**

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# QUICK REFERENCE

## STATE LICENSING INFORMATION

Candidates may contact the state's real estate commission with questions about obtaining or maintaining a license after the examination has been passed.

### Maine Real Estate Commission (Office Address)

Department of Professional and Financial Regulation  
Gardiner Annex  
122 Northern Avenue  
Gardiner, ME 04345

### Maine Real Estate Commission (Mailing Address)

35 State House Station  
Augusta, ME 04333-0035

**Phone:** (207) 624-8515

**Web:** [www.maine.gov/professionallicensing](http://www.maine.gov/professionallicensing)

## EXAMINATION INFORMATION

Candidates may contact Pearson VUE with questions about this handbook or about an upcoming examination.

### Pearson VUE

Maine Real Estate  
PO Box 8588  
Philadelphia, PA 19101-8588

**Phone:** (877) 543-5220

**Web:** [www.pearsonvue.com](http://www.pearsonvue.com)

## RESERVATIONS

### Before making an exam reservation

Candidates should thoroughly review this handbook, which contains examination content outlines and important information regarding eligibility and the examination and licensing application process.

### Making an exam reservation

Candidates may make a reservation with Pearson VUE by:

- Calling Pearson VUE at (877) 543-5220
- Faxing the *Fax Reservation Form* (from Appendix) to (888) 204-6291
- Visiting the web site ([www.pearsonvue.com](http://www.pearsonvue.com))

Candidates should make a reservation by phone at least one (1) business day before the desired examination date or by fax or on the Web at least four (4) business days before the desired examination date.

**Walk-in examinations are not available.**

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## SCHEDULES & FEES

### Test centers

A list of test centers appears on the back cover of this handbook. Candidates should contact Pearson VUE to confirm specific locations and schedules.

### Exam fees

The examination fee (\$85) must be paid at the time of reservation by credit card, debit card, voucher, or electronic check. **Cash will not be accepted. Payment will not be accepted at the test center. Examination fees are non-refundable and non-transferable.**

## EXAM DAY

### What to bring to the exam

Candidates should bring to the examination the confirmation number they received when they made the examination reservation, proper identification and licensing fees, and other materials as dictated by the state licensing agency. A complete list appears in *What to Bring* (page 11).

### Exam procedures

Candidates should report to the test center at least thirty (30) minutes before the examination begins. Each candidate will leave the test center with an official score report in hand.

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## **The candidate handbook is a useful tool in preparing for an examination.**

It is highly recommended that the Maine Real Estate Candidate Handbook be reviewed, with special attention given to the content outlines, before taking the examination. (*Content outlines begin on page 15 of this handbook.*)

## **Individuals who wish to obtain a real estate license must:**

### **1. Complete Prelicensing Education.**

Before taking an examination, candidates must complete all prelicensing education. See page 2 for additional details.

### **2. Make a reservation and pay the examination fee.**

Make a reservation (by phone, fax, or online) with Pearson VUE for the examination. (*See page 7.*)

### **3. Go to the test center.**

Go to the test center on the day of the examination, bringing along all required materials. (*See page 11.*)

### **4. Apply for a license.**

After passing the examination, candidates must submit the proper application forms and fees.

**Candidates must read state-specific information carefully for important information regarding examination procedures in their jurisdictions.**

## CONTACT INFORMATION

Candidates may contact Pearson VUE with questions about this handbook or an examination, or may contact the Maine Real Estate Commission with questions about obtaining or maintaining a license.

Pearson VUE	Maine Real Estate Commission (Mailing Address)	Maine Real Estate Commission (Office Address)
Maine Real Estate PO Box 8588 Philadelphia, PA 19101-8588 Phone: (877) 543-5220  Web site www.pearsonvue.com	35 State House Station Augusta, ME 04333-0035 Phone: (207) 624-8515 Fax: (207) 624-8637  Web site www.maine.gov/professionallicensing	Department of Professional and Financial Regulation Gardiner Annex 122 Northern Avenue Gardiner, ME 04345

## THE LICENSING STAFF

### License qualifications, license renewal, and general information:

Deborah Fales      *phone:* (207) 624-8521  
*email:* deborah.a.fales@maine.gov

### License qualifications, education, and general information:

Sue Greenlaw      *phone:* (207) 624-8515  
*email:* susan.a.greenlaw@maine.gov

### General Information:

Sue Greenlaw      *phone:* (207) 624-8515  
*email:* susan.a.greenlaw@maine.gov

## THE LICENSURE PROCESS

Licensure is the process by which an agency of state government or other jurisdiction grants permission to individuals to engage in the practice of, and prohibits all others from legally practicing, a particular profession, vocation, or occupation. By ensuring a minimum level of competence, the licensure process protects the general public. The Maine Real Estate Commission is responsible for establishing the acceptable level of safe practice and for determining whether an individual meets that standard.

The State of Maine has retained the services of Pearson VUE to develop and administer its real estate examination program. Pearson VUE is a leading provider of test services to regulatory agencies and national associations.

## PRACTICE TESTS

Practice tests are offered exclusively online at [www.pearsonvue.com](http://www.pearsonvue.com), giving candidates even more opportunity to succeed on the examination. Our practice tests will prepare candidates for the types of questions they will see on the licensure exam and also familiarize them with taking computer-based examinations.

Pearson VUE offers online practice tests for both salespersons and brokers that allow candidates to measure their knowledge in content areas such as real property, property valuation, and contracts and finance. The tests closely reflect the format of the licensure examination, can be scored instantly, and provide immediate feedback to help candidates identify correct and incorrect answers. Candidates can purchase practice tests anytime at [www.pearsonvue.com](http://www.pearsonvue.com).

# STATE LICENSING REQUIREMENTS

## **All candidates for a Maine real estate license must:**

- Be at least 18-years old at the time of license application
- Hold a high-school diploma (or the equivalent)
- Have a reputation for honesty, truthfulness, fair-dealing, and competency

Additional qualifications and requirements are listed under the section for each license type.

## **SALES AGENT**

The Sales Agent license is an entry-level license that allows individuals to acquire on-the-job training and experience while they complete the requirements for an Associate Broker license. Sales Agents may perform all brokerage services specifically authorized by the designated broker of the agency with which the Sales Agent is affiliated. The license is issued for two (2) years and is not renewable. The Sales Agent candidate must have made arrangements to affiliate with a licensed real estate agency before he/she applies for a license.

In order to qualify for a Sales Agent license as defined by §13200 and Rule Chapters 360 Section (4)(3) and 390 Section (1), the candidate must:

- Complete (with a minimum grade of 75%) a Commission-approved prelicense course called “The Sales Agent Course” which covers the required skills and knowledge listed in the content outlines that appear in this handbook. A list of schools is available online at [www.maine.gov](http://www.maine.gov).
- Submit an original transcript and the Examination Authorization Request Form to the Commission to obtain approval to take the Pearson Vue licensing examination. Candidates will not be allowed to take the examination without Commission approval. (Candidates may obtain the Examination Authorization Request Form from the Commission or from pre-licensing course providers.)  
The Commission will indicate approval by sending the candidate the pink Exam Authorization Card, which must be presented at the test center.
- Pass the Pearson VUE sales agent examination, which covers the required skills and knowledge listed in the content outlines that appear in this handbook.
- Submit to the Commission a fully completed license application, an original Pearson VUE examination score report, and an original transcript from “The Sales Agent Course” showing a minimum final grade of 75%, and the license application fee.

## **ASSOCIATE BROKER**

The Associate Broker license is a permanent license of the next license level above the Sales Agent license. Associate Brokers are authorized to perform all brokerage services on behalf of an agency, but may not serve as designated brokers. The license is issued for a two-year period and is renewable. The Associate Broker license may be held on an inactive status.

In order to achieve licensure as an Associate Broker, as defined by §13199 & Rule Chapter 360 Section (4)(2), a candidate must satisfy the following requirements:

The candidate must:

- Practice as a licensed Sales Agent for two (2) years
- Satisfactorily complete (with a minimum final grade of 75%) “The Associate Broker Course”
- Submit a fully completed license application and an original transcript from “The Associate Broker Course” (with a minimum final grade of 75%). Copies are not acceptable. This application must be submitted no more than thirty (30) days before the day the Sales Agent license expires and within five (5) years of the date of issuance of the original Sales Agent license
- Submit the license application fee

If the candidate has satisfied all requirements and has submitted a complete application, the Commission will issue the Associate Broker license immediately upon the expiration of the Sales Agent license.

## **BROKER**

A Broker license authorizes the licensee to perform all brokerage services on behalf of an agency, including serving as the agency’s designated broker. The broker license is issued for a two-year period and is renewable. This license may be held on an inactive status.

There are two ways to obtain a broker license, as defined by §13198 & Rule Chapter 360, Section 4(1).

### **Method A**

The candidate must:

- Complete one (1) year of full-time practice as a licensed Associate Broker in the year immediately preceding the date of application for the Broker license.
- Satisfactorily complete (with a minimum final grade of 75%) a Commission-approved course that covers the topics listed in the content outlines that appear in this handbook (the course is called “The Designated Broker Course”)\*\*
- Furnish a resume of real estate-related production and activity for the full year immediately preceding the date of application for the Broker license. This resume must include a fully completed Brokerage Activity Report form available from the Commission. The candidate should request this form when contacting the Commission for a license application
- Submit along with the Brokerage Activity Report a fully completed license application that includes a course transcript for “The Designated Broker Course”.
- Submit the license application fee

\*\* Application for a Broker license must be made within one (1) year of completion of “The Designated Broker Course”.

## Method B

The candidate must:

- Complete one (1) year of practice as a licensed Sales Agent
- Satisfactorily complete (with a minimum final grade of 75%) two (2) years (60 credit hours) in a business degree program, of which 9 credits must be for successful completion of “The Sales Agent Course,” “The Associate Broker Course,” and “The Designated Broker Course,” as per Chapter 360, Section 2(4). Courses must have been completed within five (5) years of the date of application for the Broker license, with the exception of “Role of the Designated Broker,” which must be completed in the year immediately preceding license application. Candidates are encouraged to submit transcripts to the Commission for review before applying for a Broker license
- Submit a fully completed license application that includes official transcripts for all qualifying coursework
- Submit the license application fee

## LICENSING BY RECIPROCITY

Non-Residents and Maine Residents Licensed in Another State or Jurisdiction

A non-resident, or a Maine resident, who holds an active license in good standing in another state or licensing jurisdiction may qualify for a similar license in Maine by passing the Maine Law examination. Non-resident candidates must be licensed in the state in which they reside to qualify under this provision. The license issued will be at a level comparable to the level of the license held in the other state or jurisdiction. (It should be noted that the Maine Associate Broker is equivalent to a salesperson in many states.) Candidates who qualify by this method must affiliate with an agency licensed in Maine upon application for a license and may perform all brokerage services on behalf of that agency as outlined in the License Law and Rules Reference Book, 32 M.R.S.A., Chapter 114. The license issued is valid for a period of two (2) years and is renewable.

Candidates licensed in another state or jurisdiction who wish to obtain a comparable license by reciprocity may do so as defined by §13193 & Rule Chapter 390, Section 4. The candidate must:

- Demonstrate knowledge of Maine real estate law by passing the Maine Law examination
- Hold a similar active license in good standing in his/her resident state
- Provide a Certificate of Licensure from each state in which the candidate holds a real estate license (as detailed in Chapter 390, Section 4 of the Commission Rules)
- File a completed Irrevocable Consent to Service application (non-residents only)
- Submit a fully completed license application, a certificate of license from each state in which applicant now holds or has held a real estate license and a fully completed Irrevocable Consent to Service application.
- Submit the appropriate license fee

Non-residents who are not licensed in another jurisdiction but wish to become licensed in Maine may qualify for a license by satisfying the education and/or experience requirements as outlined under the specific license categories in this handbook.



**IMPORTANT:** Candidates qualifying by reciprocity must hold a current and active license in good standing in another state or jurisdiction at the time application is made for the Maine license. Active status is defined as maintaining affiliation with an agency or eligibility to perform real estate brokerage. The only acceptable evidence that the candidate holds an active license in good standing is a Certificate of Licensure issued by the licensing jurisdiction. A copy of a current license is not acceptable.

## **RENEWING AN EXPIRED LICENSE**

An individual who has allowed a Broker or Associate Broker license to expire for more than ninety (90) days may reinstate the license by passing the Maine Law examination. Candidates applying under this provision will qualify for the same type of license as previously held. Individuals who hold an expired Sales Agent license do not have this option.

## **APPLYING FOR THE LICENSE**

After passing the Law examination, a candidate must submit to the Commission the following:

- A fully completed license application, signatures of three references, and the signed and dated recommendation from the agency's designated broker
- The appropriate license fee
- Original Pearson VUE Examination Score Report

## **PRELICENSE COURSE SPONSORS**

Please visit [www.maine.gov/professionallicensing](http://www.maine.gov/professionallicensing) for a complete list of approved course sponsors.

Candidates may contact sponsors for information about current or future offerings. Courses must be approved by the Commission to qualify for licensing; therefore, it is recommended that candidates determine that a course has been approved before enrolling.

## RECOMMENDED READING

The following is a list of texts and study aids the Commission has determined may be useful in preparing for the examination and a career in real estate. This list is a sample of the information available to potential real estate licensees and is not meant to represent all the information candidates will need to prepare for an examination. Candidates should consult a real estate instructor or experienced real estate professional for suggestions about alternative study materials. Out-of-print texts may be available at public or university libraries.

### **Introduction to Real Estate Law**

Charles, Coit, Dearborn Real Estate Education, Chicago, IL (out of print).

### **Introduction to a Successful Career in Maine Real Estate**

Coit, Charles, Shipley House Publishers.

### **Maine Consumer Law Guide**

Office of the Maine Attorney General, 6 State House Station Augusta ME 04333  
[www.state.maine.gov/ag](http://www.state.maine.gov/ag)

### **Maine Environmental and Land Use Statutes: Deskbook 2001**

Ahrens, Philip F.W.,  
Tower Publishing, 588 Saco Road, Standish, ME 04084

### **Maine Real Estate Law**

Creteau, Paul, Castle Publishing, Portland, ME. (out of print)

### **Maine Planning & Land Use Laws**

Michaud, Fredrick L.  
56 Bradford Lane, South China, ME 04358  
(207) 445-4402 (phone and fax), email: [frelan@gwi.net](mailto:frelan@gwi.net)

### **Maine Real Estate Law Exam Study Materials**

Center for Real Estate Education, Portland, ME (207) 228-8400  
(Study materials developed specifically for the Maine Law exam.)

### **Maine Real Estate Law Exam Study Materials**

Arthur Gary School of Real Estate, Westbrook, ME *phone:* (207) 856-1712  
(Study materials developed specifically for the Maine Law exam.)

### **Maine Real Estate Law Exam Study Materials**

The Real Estate Learning Group, Portland, ME *phone:* (800) 796-5308  
(Study materials developed specifically for the Maine Law exam)

### **Maine Real Estate Principles and Practices, 5th Edition**

Richer, Elaine, Thomson/South-Western Educational Publishers, Mason, OH

### **Maine Real Estate License Law & Rules Reference Book**

Maine Real Estate Commission

“Maine Planning & Land Use Laws” and the “Law Exam Study Materials” may be obtained from the publishing school or agency indicated on the list. All other texts are commonly available at college bookstores and libraries.

Copies of the “Maine Real Estate License Laws and Rules Reference Book” are available from the Commission, and laws and rules may also be downloaded from the Web (<http://www.maine.gov/pfr/professionallicensing/index.shtml>).

## PHONE RESERVATIONS

Walk-in examinations are not available, so candidates must make a reservation. Candidates are responsible for knowing which examination they must take. Candidates may call (877) 543-5220\* to make a reservation.

CALL CENTER HOURS	
Monday - Friday	8 am – 11 pm
Saturday	8 am – 5 pm
Sunday	10 am – 4 pm

Eastern Standard Time

Before calling, candidates should have the following:

- Legal name, address, daytime telephone number, and date of birth
- The name of the examination(s)
- The preferred examination date and test center location (a list appears on the back cover of this handbook)
- A failing score report (if retaking an examination)
- A pink *Exam Authorization Card* (if taking the Sales Agent examination)

A representative will help candidates select a convenient examination date and location and will answer questions. A reservation will be made based on the next available examination date.

Candidates should make a phone reservation at least one (1) business day before the desired examination date.

## ONLINE RESERVATIONS

Candidates may make an examination reservation online by visiting the web site at [www.pearsonvue.com](http://www.pearsonvue.com). First-time users must obtain a check-in code and will be asked to provide their name, email address, and phone number, as well as a personal password. Candidates will receive a check-in code immediately upon submitting the requested information.

Candidates will be prompted with step-by-step instructions on completing the online *Reservation Request Form*. Once the online request has been submitted, Pearson VUE will send via email a confirmation of the examination date, time and location, or will contact candidates whose choices are not available. Candidates may also review, change, or even cancel an existing reservation after the *Reservation Request Form* has been submitted by following the instructions.

Candidates who wish to make an online reservation should do so at least four (4) business days before the desired examination date.

## FAX RESERVATIONS

Candidates may fax the *Fax Reservation Form* (from Appendix) to Pearson VUE at (888) 204-6291, 24 hours a day, 7 days a week. The completed form should be faxed at least four (4) business days before the desired examination date. A confirmation of the reservation will be returned by fax within 24 hours of receipt of the faxed request.

### TOLL-FREE PHONE RESERVATIONS

(877) 543-5220

### \*TELECOMMUNICATION DEVICES FOR THE DEAF

Pearson VUE is equipped with TDD (Telecommunication Devices for the Deaf) to assist deaf and hearing-impaired candidates. TDD calling is available 8:00 am to 5:00 pm (EST) Monday through Friday, toll-free at (800) 274-2617. This TDD phone option is for individuals equipped with compatible TDD machinery.

**EXAMINATION FEE**  
The exam fee is \$85.

## CONFIRMATION NUMBER

Candidates will receive a confirmation number, along with the examination date, test center, and the name of the representative with whom they should speak. This information should be recorded below, since it must be provided during any contact with Pearson VUE.

Confirmation Number:
Examination Date:
Test Center:
Pearson VUE Representative:

## EXAM FEES

The examination fee (\$85) must be paid at the time of reservation by credit card, debit card, voucher or electronic check. **Payment will not be accepted at the test center.** Examination fees are non-refundable and non-transferable except as detailed in the *Change/Cancel Policy* (page 9)

### Electronic Checks

Candidates who choose to pay the examination fee by electronic check must have a personal checking account and must be prepared to provide to Pearson VUE at the time of reservation the following information:

- Bank name
- Account number
- Routing number
- Social Security number or driver's license number
- Name and address on the account

Using this information, Pearson VUE can request payment from the candidate's bank account just as if the candidate had submitted an actual paper check.

### Vouchers

Candidates may prepay examination fees and receive a voucher to use when they contact Pearson VUE to make an examination reservation. The number listed on the voucher will be accepted by Pearson VUE as payment for the examination fee. Vouchers may be purchased for one fee or many; therefore, companies may buy vouchers in bulk and distribute them to candidates as desired.

Those who want to purchase a voucher should send a *Voucher Request Form* (found in the back of this handbook), along with proper payment. Pearson VUE will process voucher requests within one (1) week of receipt. Vouchers are valid for one (1) year from the issue date, and they may be renewed or refunded.

## CHANGE/CANCEL POLICY

Candidates should call (877) 543-5220 at least two (2) business days before the examination to change or cancel a reservation. Candidates who change or cancel a reservation with proper notice may either transfer their fees to a new reservation or request a refund. **Candidates who change or cancel a reservation without proper notice will forfeit the examination fee.**

Candidates are individually liable for the full amount of the examination fee once a reservation has been made, whether individually or by a third party.

## ABSENCE/LATENESS POLICY

Candidates who are late to or absent from an examination may be excused for the following reasons:

- Illness of the candidate or that of the candidate's immediate family member
- Death in the immediate family
- Disabling traffic accident
- Court appearance or jury duty
- Military duty
- Weather emergency

**Candidates who are absent from or late to an examination and have not changed or canceled the reservation according to the *Change/Cancel Policy* will not be admitted to the examination and will forfeit the examination fee.** Written verification and supporting documentation for excused absences must be submitted to Pearson VUE within fourteen (14) days of the original examination date.

## WEATHER DELAYS AND CANCELLATIONS

If severe weather or a natural disaster makes the test center inaccessible or unsafe, the examination may be delayed or canceled. Candidates should call (800) 274-2615 for details on delays and cancellations during severe weather.

### WEATHER DELAYS AND CANCELLATION INFORMATION:

(800) 274-2615

### RETAKING AN EXAMINATION

Candidates should contact Pearson VUE to make a reservation to retake the examination, and should have their failing score report available when they call.

## SPECIAL EXAM RESERVATIONS

Pearson VUE complies with the provisions of the Americans with Disabilities Act (ADA) (42 U.S.C. 12101 *et seq.*) and Title VII of the Civil Rights Act, as amended (42 U.S.C. 2000e *et seq.*), in accommodating disabled candidates who need special arrangements to take an examination.

Candidates who require special arrangements due to impaired sensory, manual or speaking skills, or other disability, should fax the *Special Accommodations Request Form* (found in the back of this handbook) to Pearson VUE.

The form must be accompanied by supporting documentation from a physician or other qualified professional reflecting a diagnosis of the candidate's condition and an explanation of examination aids or modifications. Pearson VUE will provide auxiliary aids and services, except where such may fundamentally alter the examination or results, or result in an undue burden. The examination will be scheduled upon receipt of all required information by Pearson VUE.

Candidates who have additional questions concerning ADA arrangements may contact the ADA Coordinator at (800) 274-3707. However, the *Special Accommodations Request Form*, along with the required supporting documentation, **must** be submitted to Pearson VUE before any special examination arrangements can be finalized.

Pearson VUE will determine the time and place of specially arranged examinations and will confirm these arrangements directly with the candidate. Candidates who need to retake an examination should notify Pearson VUE that special arrangements were used for the previous examination.

Due to the unique nature of each special request, Pearson VUE recommends that candidates request special services as early as possible. Pearson VUE will make a concerted effort to provide reasonable accommodations as permitted by state licensing agencies and individual test center capabilities.

## NON-SATURDAY RESERVATIONS

Candidates who for religious reasons cannot take an examination offered only on Saturdays may request a non-Saturday examination date. Such a request must be put in writing on official stationery by the candidate's religious advisor and faxed to (610) 617-9397 or mailed to:

Pearson VUE Special Accommodations  
3 Bala Plaza West  
Suite 300  
Bala Cynwyd, PA 19004

Non-Saturday examinations are available **only** on a prearranged basis.

## WHAT TO BRING

### Required Materials

- All candidates are required to bring identification that is deemed acceptable, listed under *Acceptable Forms of Candidate Identification*, to the test center on the day of examination.
- Sales Agent Candidates must present the pink *Exam Authorization Card* (detailed on page 2) from the Maine Real Estate Commission.

**Candidates who do not present the required items will be denied admission to the examination, considered absent, and will forfeit the examination fee.**

### Suggested Materials

- Failing score report (if the candidate is retaking an examination)
- The confirmation number provided at the time of reservation.

### Acceptable Forms of Candidate Identification

Candidate must present two forms of current signature identification. The primary identification must be government issued, photo-bearing with a signature and the secondary identification must contain a valid signature. Identification must be in English.

#### Primary ID (photograph, and signature, not expired)

- Government-issued Driver's License
- U.S. Dept of State Drivers License
- U.S. Learner's Permit (plastic card only with photo and signature)
- National/State/Country Identification Card
- Passport
- Passport cards
- Military ID
- Military ID for spouses and dependents
- Alien Registration Card (Green Card, Permanent Resident Visa)

#### Secondary ID (signature, not expired)

- U.S. Social Security Card
- Debit/(ATM) Card
- any form of ID on the Primary list

If the ID presented has an embedded signature that is not present (microchip), difficult or impossible to read, the candidate must present another form of identification from the primary or secondary list which contains a visible signature.

Pearson VUE does not recognize grace periods. For example, if a candidate's driver's license expired yesterday and the state allows a 30-day grace period for renewing the ID, the ID is considered to be expired.

## EXAM PROCEDURES

Candidates must report to the test center thirty (30) minutes before the scheduled examination to complete registration. When candidates arrive at the test center, they must check-in with the test center manager and present their confirmation number, identification, and any other required documents. The manager will review this documentation and photograph each candidate for his/her score report.

### REQUIRED ITEMS

Candidates who do not present the required items will be denied admission to the examination, considered absent, and will forfeit the examination fee.

### CANDIDATE PHOTOS

Candidate photos will be taken at the test center

After registration, candidates will have an opportunity to take a tutorial on the computer. The time spent on the tutorial will not reduce the examination time. The examination proctors will answer questions at this time, but candidates should be aware that the proctors are not familiar with the content of the examinations or with the state's licensing requirements. The candidate is responsible for determining which examination he/she needs to take. Examination proctors are instructed not to advise candidates on requirements for licensure.

Once candidates are familiar with the computer, they may begin the examination. The examination begins the moment a candidate looks at the first examination question. Candidates will be given 3.5 hours to complete the Sales Agent examination or 1.5 hours for the Maine Law examination; after that time, the examination will automatically end. Candidates will leave the test center with an official score report in hand.

## **SCORE REPORTING**

When candidates complete the examination, they will receive a score report marked "Pass" or "Fail." Candidates who pass the examination will receive a score report that includes information on applying for a license. Candidates who fail the examination will receive a score report that includes a numeric score and diagnostic information relating to the general portion of the examination, as well as information about reexamination.

## **REVIEW OF EXAMS**

For security reasons, examination material is not available to candidates for review.

## **SCORE EXPLANATION**

The passing score of an examination is set by the Maine Real Estate Commission. The general and state law portions are usually administered in multiple versions to enhance security. To ensure that no individual has an unfair advantage or disadvantage by taking a particular version of the examination, the actual passing score of the various versions may be adjusted to accommodate minor fluctuations in the difficulty level of the questions on each version. The passing score for all versions, however, is reported as a score of 75.

The reported examination scores can range from 1 to 100, but they should not be interpreted as the percentage or number of examination questions answered correctly. With 75 as the passing score, any score below 75 indicates how close the candidate came to passing, rather than the actual number or percentage of questions answered correctly.

## **DUPLICATE SCORE REPORTS**

Candidates may request a duplicate score report by completing the appropriate form found in this handbook and enclosing the proper fee.

## **RETAKING THE EXAM**

Sales Agent candidates who fail one portion of the examination and pass the other need to retake only the portion they failed, as long as they do so before the expiration date of the pink Exam Authorization Card. After this time, they must retake the Sales Agent Course.

Reservations for reexamination may not be made at the Pearson VUE Test Center. Candidates must wait 24 hours before making a reservation for a reexamination.



## TEST CENTER POLICIES

The following policies are observed at each test center. **Candidates who violate any of these policies will not be permitted to finish the examination and will be dismissed from the test center, forfeiting the examination fee.**

- **No personal items are allowed in the testing room.** Personal items include but are not limited to: cellular phones, hand-held computers/personal digital assistants (PDAs) or other electronic devices, pagers, watches, wallets, purses, firearms or other weapons, hats, bags, coats, books, and/or notes, pens or pencils.
- **Calculators are permitted only if they are silent, hand-held, nonprinting, and without an alphabetic key pad.** Financial calculators are not permitted. Calculator malfunctions are not grounds for challenging examination results or requesting additional examination time. **NOTE: Calculators are NOT provided by the test center staff.**
- Candidates must store all personal items in a secure area as indicated by the administrator, or return items to their vehicle. All electronic devices must be turned off before storing them in a locker. **The test center is not responsible for lost, stolen or misplaced personal items.**
- Studying **is not** allowed in the test center. Visitors, children, family or friends **are not** allowed in the test center.
- Dictionaries, books, papers (including scratch paper), and reference materials are not permitted in the examination room (unless permitted by the exam sponsor), and candidates are strongly urged not to bring such materials to the test center. Upon entering and being seated in the testing room, the test administrator will provide the candidate with materials to make notes or calculations and any other items specified by the exam sponsor. **The candidate may not write on these items before the exam begins or remove these items from the testing room.**
- Eating, drinking, or chewing gum, smoking and/or making noise that creates a disturbance for other candidates is prohibited during the exam.
- Break policies are established by the exam sponsor. Most sponsors allow unscheduled breaks. To request an unscheduled break, candidates **must** raise their hand to get the administrator's attention. **The exam clock will not stop while the candidate is taking a break.**
- Candidates must leave the testing room for all breaks. However, candidates **are not permitted to leave the floor or building for any reason during this time, unless specified by the administrator and the exam sponsor.** If a candidate is discovered to have left the floor or building, they will not be permitted to proceed with the examination and may forfeit the exam fees.
- While taking a break, candidates are permitted to access personal items that are being stored during the exam only if necessary—for example, personal medication that must be taken at a specific time. **However, a candidate must receive permission from the administrator prior to accessing personal items that have been stored.** Candidates are **not** allowed access to other items, including but not limited to, cellular phones, PDAs, exam notes and study guides, unless the exam sponsor specifically permits this.

- Any candidate discovered causing a disturbance of any kind or engaging in any kind of misconduct—giving or receiving help; using notes, books, or other aids; taking part in an act of impersonation; or removing examination materials or notes from the examination room—will be summarily dismissed from the examination and will be reported to the state licensing agency. Decisions regarding disciplinary measures are the responsibility of the state licensing agency.

## PREPARING FOR THE EXAM

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### EXAM CONTENT

The content of the general portion of the examination is based on information obtained from a job analysis performed by Pearson VUE. Responses from real estate professionals were analyzed to determine the nature and scope of tasks they perform and the knowledge and skills needed to perform them. This information is the basis upon which examination questions are written and ensures that the examination reflects the actual practice of real estate. Questions on the general portion are also reviewed and approved by nationally recognized real estate professionals.

The state law portion of the examination has been developed to reflect the laws, regulations, and practice of real estate in Massachusetts, and has been reviewed and approved by real estate professionals in Massachusetts.

### MATH CALCULATIONS

Candidates may use the following information in making mathematical calculations on the general section of the real estate examinations unless otherwise stated in the text of the question:

- 43,560 square feet/acre
- 5,280 feet/mile
- Round off calculations (where applicable)

*If a question requires the calculation of prorated amounts, the question will specify: a) whether the calculation should be made on the basis of 360 or 365 days a year; and b) whether the day of closing belongs to the buyer or seller.*

This information will be available for reference during the examination.

The entire question pool for both the general and state law portions of the examinations, each form of the examination, and any materials used to administer the examination are copyrighted by and are the property of Pearson VUE. Any distribution of examination content by oral or written communication or by any material or other reproduction is strictly prohibited and punishable by law.

# General Exam Content Outlines For Salespersons and Brokers

*Effective January 1, 2009*

The general portion of the real estate exam is made up of eighty (80) scored questions, which are distributed as noted in the following content outline. Approximately ten percent (10%) of the scored questions on the general examinations will involve mathematical computations.

The salesperson and broker examinations also contain five (5) pretest questions that are **not** counted toward the score. These questions are used to gather statistics on performance and to help assess appropriateness for use on future examinations. Since pretest questions look exactly like questions that are scored, candidates should answer all the questions on the examination.

The following examination content outline is appropriate for real estate salespersons and real estate brokers.

## **I. Real property characteristics, definitions, ownership, restrictions, and transfer (Salesperson 16, Broker 12)**

- A. Definitions, descriptions, and ways to hold title
  - 1. Elements of real and personal property
  - 2. Property description and area calculations
  - 3. Estates in real property
  - 4. Forms of ownership, rights, interests, and obligations
- B. Land use controls and restrictions
  - 1. Government controls
  - 2. Private controls – non-monetary
  - 3. Private controls – mortgage (deed of trust) and liens
- C. Transfer/alienation of title to real property
  - 1. Voluntary
  - 2. Involuntary
  - 3. Protections
  - 4. Partition/severance (voluntary or involuntary)
  - 5. Deeds and warranties: validity, types, covenants
  - 6. Title and title insurance

## **II. Property valuation and appraisal (Salesperson 6, Broker 6)**

- A. Principles, types, and estimates of property value
  - 1. Valuation definition, purpose, and process
  - 2. Characteristics
  - 3. Valuation principles
  - 4. Approaches to value
  - 5. Depreciation/obsolescence
  - 6. Value
  - 7. Appraisals and list price
  - 8. Math
  - 9. Influences on property value
- B. Investment analysis
  - 1. Application of principles
  - 2. Math calculations

## **III. Contracts and relationships with buyers and sellers (Salesperson 18, Broker 20)**

- A. Contract elements
  - 1. Validity
  - 2. Void/voidable
  - 3. Enforceable/unenforceable (Statute of Frauds)
  - 4. Unilateral/bilateral
  - 5. Executory/executed
- B. Listing contracts
  - 1. General purpose/definition of listing
  - 2. Types
  - 3. Required elements
  - 4. Establishing listing price
  - 5. Responsibilities
- C. Commission agreements
  - 1. Negotiation of commission
  - 2. Who may collect
  - 3. Other compensation arrangements
  - 4. Math: licensee compensation/commission
- D. Sales contracts
  - 1. Terminology
  - 2. Procedures
  - 3. Standard parts
  - 4. Contingencies and misc. provisions
  - 5. Contractual rights and obligation
  - 6. Disputes and dispute resolution terms
- E. Option contracts
- F. Licensee-client relationships and responsibilities
  - 1. Types of relationships – terminology
  - 2. Relationship powers and obligations

#### **IV. Property conditions and disclosures (Salesperson 7, Broker 7)**

- A. Federal environmental regulations
  - 1. Lead-based paint
  - 2. CERCLA
  - 3. Asbestos
  - 4. Wetlands and flood plains
- B. Environmental issues
  - 1. Mold
  - 2. Radon
  - 3. Protected species
  - 4. Other
- C. Material and other property disclosures
- D. Liability considerations

#### **V. Federal laws governing real estate activities (Salesperson 8, Broker 9)**

- A. Civil Rights Acts/Fair Housing Acts
  - 1. Provisions
  - 2. Violations
  - 3. Enforcement/penalties
  - 4. Exceptions
  - 5. Advertising
  - 6. Required poster
- B. Americans with Disabilities Act (ADA)
- C. Antitrust – (Sherman Act, etc.)
- D. Marketing and financial controls
  - 1. Truth in Lending Act (TILA—Regulation Z)
  - 2. Real Estate Settlement Procedures Act (RESPA)
  - 3. Equal Credit Opportunity Act (ECOA)
  - 4. Equal Employment Opportunity Commission (EEOC)
  - 5. UCC/Interstate/Securities (Broker only)
  - 6. Do Not Call/Privacy Act

#### **VI. Financing the transaction and settlement (Salesperson 17, Broker 13)**

- A. Financing components
  - 1. Financing instruments
  - 2. Financing sources (primary and secondary mortgage markets, seller financing)
  - 3. Types of loans
  - 4. Financing clauses, terminology, and cost of money (calculation)
  - 5. Lending issues
- B. Lender requirements and obligations
  - 1. Private mortgage insurance (PMI)
  - 2. FHA requirements
  - 3. VA requirements
  - 4. Escrow/impound account
  - 5. Credit report
  - 6. Assumption requirements
  - 7. Appraisal requirements

- 8. Hazard and flood insurance
- 9. Federal financing and credit regulation
- C. Settlement/Closing
  - 1. Procedures and forms
  - 2. Closing costs and calculations
  - 3. Documents, title, and recording

#### **VII. Leases, rents, and property management (Salesperson 5, Broker 6)**

- A. Types and elements of leases
  - 1. Leasehold estates
  - 2. Types of leases
  - 3. Lease clauses and provisions
- B. Lessor and lessee rights, responsibilities, liabilities, and recourse
  - 1. Owned and leased inclusions
  - 2. Reversionary rights of owner
  - 3. Rental related discriminatory laws
  - 4. Unit-related disclosures
  - 5. Effect of sale/transfer/ foreclosure
  - 6. Evictions
  - 7. Tenant improvements
  - 8. Termination of a lease
  - 9. Breach
- C. Property management contracts and obligations of parties
  - 1. Contracts and contractual relationships
  - 2. Manager's obligations, duties, and liabilities
  - 3. Owner's obligations, duties, and liabilities
  - 4. Management/owner math calculations

#### **VIII. Brokerage operations (Salesperson 3, Broker 7)**

- A. Broker management of funds
  - 1. Earnest money
  - 2. Commingling
  - 3. Conversion of funds
- B. Broker-salesperson relationship
- C. Advertising
- D. Ethical and legal business practices
  - 1. Misrepresentation
  - 2. Implied duty of good faith
  - 3. Due diligence
  - 4. Unauthorized practice of law
  - 5. Marketing practices
- E. Forms of business ownership
  - 1. Corporation
  - 2. Partnership (general and limited)
  - 3. Limited liability company
  - 4. Sole proprietorship
- F. Independent contractors vs. employee

# Content Outline for Maine Real Estate Licensing Examinations

*Effective January 1, 2009*

The Maine state-specific Sales Agent examination consists of forty-five (45) questions, five (5) of which are pretest questions. The Non-resident examination consists of fifty-five (55) questions, five (5) of which are pretest questions. These pretest questions are not identified and will not affect the candidate's final score in any way.

The questions are determined by the content outline that follows. The number of scored questions on each topic for each exam appears in parentheses after the topic heading. See Recommended Reading for the Maine Law Examination on page 6 for a list of suggested study materials.

## **I. Maine Real Estate Commission (Sales Agent 2, Non-resident 2)**

- A. Powers
- B. Investigations, hearings, appeals
- C. Sanctions

## **II. Maine Laws and Rules Governing Activities of Licensees (Sales Agent 15, Nonresident 18)**

- A. Activities requiring a license
- B. Broker and brokerage definitions
- C. Designated broker-sales agent relationship
- D. Listings/brokerage contracts
- E. Offers to purchase/sales contracts
- F. Handling of monies
  - 1. Earnest money
  - 2. Trust accounts
- G. Material disclosures
  - 1. Disclosure requirements
  - 2. Maine-specific mandated property disclosures
    - a. Water supply
    - b. Heating Systems
    - c. Waste disposal
    - d. Hazardous materials
- H. Commissions
- I. Market analysis
- J. Advertising
- K. Other

## **III. Law of Agency/Brokerage (Sales Agent 8, Nonresident 12)**

- A. Types of agency relationships (buyer, seller, appointed, disclosed dual, and sub-agency)
- B. Agency/brokerage contracts
- C. Obligations to clients and customers
- D. Creation and termination of agency relationships
- E. Disclosures (incl. Real Estate Brokerage Relationships form) and acting in self-interest

## **IV. Maine-specific Principles and Practices (Sales Agent 9, Nonresident 12)**

- A. Property ownership and transfer

- 1. Types of ownership
- 2. Methods of transfer
- 3. Adverse possession
- 4. Recording system
- 5. Transfer tax
- 6. Nonresident withholding tax

- B. Sources of information in Maine
- C. Maine Landlord-Tenant Act
- D. Condominium law
- E. Closings

## **V. Maine Land-use Law (Sales Agent 6, Nonresident 6)**

- A. Subdivisions (Title 30-A)
- B. Mandatory Shoreland Zoning (Title 38)
- C. Site Location of Development (Title 38)
- D. Underground Oil Storage Tanks (Title 38)
- E. Other land use topics
  - 1. Minimum lot size (Title 12)
  - 2. Land Use Regulation Commission (Title 12) and Department of Environmental Protection (Title 38)
  - 3. Open Space Tax Law and Tree Growth Tax Law (Title 36)
  - 4. Protection of Natural Resources (Title 38)

The questions in Sections I, II, and III are based on the Maine Real Estate Commission License Law (M.R.S.A. Title 32, Chapter 114) and Rules (02, 039, Chp. 300-410), as amended effective July 1, 2006. These are available online through links at the Maine Department of Professional and Financial

Regulation, Office of Licensing and Registration Web site ([www.state.me.us/pfr/olr/](http://www.state.me.us/pfr/olr/)), or directly at the following Web addresses:

### **Laws:**

<http://janus.state.me.us/legis/statutes/>

### **Rules:**

<http://www.maine.gov/sos/cec/rules/02/chaps02.htm>

Questions in section V are based on the M.R.S.A. references specified in the outline. These statutes are available online at the state of Maine website at:

<http://janus.state.me.us/legis/statutes/search.asp>

# SPECIAL ACCOMMODATIONS REQUEST FORM



Any individual who has a physical or mental impairment or limitation described as a disability under the Americans with Disabilities Act (ADA) may request special examination arrangements.

Candidates who wish to request special accommodations for ADA should fax this form to Pearson VUE at (610) 617-9397. Certain documentation must be faxed along with this form, as detailed on page 10.

**All requests must first be approved by Pearson VUE. Candidates must wait for confirmation of the approval before scheduling an examination.**

## PLEASE PRINT CLEARLY

Date:			
Last Name:			
First Name:			M.I.:
Address:			
City:		State:	Zip:
Daytime Telephone:		Email address:	
Description of Disability:			
<input type="checkbox"/> Large-print written exam <input type="checkbox"/> Marker <input type="checkbox"/> Additional time <input type="checkbox"/> Reader <input type="checkbox"/> Separate testing room <input type="checkbox"/> Sign language interpreter			
<input type="checkbox"/> Other equipment or accommodation (please explain):			
Accommodations previously provided to you ( <i>list accommodation and purpose, such as "sign language interpreter for SAT examination"</i> ):			
<b>Candidates should contact Pearson VUE with questions about special accommodations.</b> Pearson VUE Special Accommodations • 3 Bala Plaza West, Suite 300 • Bala Cynwyd, PA 19004 Phone (800) 274-3707 • TDD (800) 274-2617 • Fax (610) 617-9397			

*Note: Only candidates who require special examination accommodations should use this form.*



## FAX RESERVATION FORM

Today's Date:		Time of Day:	
Candidate/Sponsor Signature:			
First Name:			
Last Name:			
Date of Birth:		SSN:	
Address:			
City:		State:	ZIP:
Telephone (Daytime):		Telephone (Evening):	
Your Fax Number:		Licensure State:	
May we register you for the next exam date if your two choices are taken? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Email Address:			
Candidate Signature ( <i>verifies completion of prelicense education</i> ):			

You must include a copy of your "School Certificate" with this faxed reservation form.  
Pearson VUE will not make a reservation without it.

Test Center Code:	Exam Session: <input type="checkbox"/> am <input type="checkbox"/> pm	Exam Date:
Exam: <input type="checkbox"/> Sales <input type="checkbox"/> Maine Law	2 <sup>nd</sup> Choice: <input type="checkbox"/> am <input type="checkbox"/> pm	2 <sup>nd</sup> Date:

<b>Credit Card Payments:</b>	<b>Electronic Check Payments:</b>
<input type="checkbox"/> MasterCard <input type="checkbox"/> Visa <input type="checkbox"/> AmExpress <input type="checkbox"/> Discover	Bank Name:
Card #:	Next Available Check #:
Expiration Date:	Account #:
Signature:	Routing #:
	Name/Address on Account: ( <i>if different from above</i> )

### FOR PEARSON VUE USE ONLY

Pearson VUE ID# Assigned:		
Reservation Date:	Time:	TC #:

**Fax to Pearson VUE at (888) 204-6291**



# DUPLICATE SCORE REQUEST

**DIRECTIONS:** You may use this form to request that Pearson VUE send a duplicate copy of your real estate examination score report to you. Please print or type all information on this form.

Please enclose certified check or money order made payable to "Pearson VUE." Write your confirmation number on your payment. **DO NOT SEND CASH.**

**FEE:** For scores less than one year old there is a \$10.00 charge.  
For scores more than one year old there is a \$25.00 charge.

**SEND TO:** **Maine Real Estate**  
Duplicate Score Request  
Pearson VUE  
PO Box 8588  
Philadelphia, PA 19101-8588

**Amount Enclosed:** \$ \_\_\_\_\_

I hereby authorize Pearson VUE to send to me at the address below a duplicate of my scores from the real estate examination.

Signature	Date
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Please complete the following form with your current name and address.

Name:		
Address:		
City:	State:	Zip:
Telephone:		

Exam Taken:	
State in which examination was taken:	Date Taken:
Date of Birth:	Confirmation Number:

If the above information was different at the time you tested, please indicate original information.

Name:		
Address:		
City:	State:	Zip:
Telephone:		



# VOUCHER REQUEST FORM



## PLEASE PRINT CLEARLY

Date:		
Last Name:		
First Name:		M.I.:
Address:		
City:		State:
		ZIP:
Daytime Telephone:		Evening Phone:
Email Address (if you would like Pearson VUE to email the voucher#):		
Payment Type: <input type="checkbox"/> Money Order <input type="checkbox"/> Company Check <input type="checkbox"/> Cashier's Check		
Name of Examination:		
<p><b>Make all checks payable to Pearson VUE and mail this form to:</b> Pearson VUE, c/o AP Voucher Program, PO Box 41508, Philadelphia, PA 19101-1508.</p> <p><b>Overnight Address:</b> Pearson VUE, c/o AP Voucher Program, 3 Bala Plaza West, Suite 300, Bala Cynwyd, PA 19004.</p> <p><b>Please allow Pearson VUE seven (7) business days to process your request. You will receive your voucher number by standard mail, or by email if you provided an email address above.</b></p>		

# GENERAL INFORMATION

**CANDIDATES MAY CALL (877) 543-5220 TO MAKE AN EXAM RESERVATION.**

TEST CENTERS		
CODE	LOCATION*	SCHEDULE
2015	Bangor	2nd & 4th Saturday
2016	Westbrook	Wednesday, Friday, and Saturday
0269	Boston	Tuesday through Saturday
0270	Woburn	Tuesday - Saturday

*\*Locations and schedules are subject to change.*

EXAMINATIONS	FEES
Sales Agent Exam	\$85
Maine Law Portion	\$85

## PEARSON VUE HOLIDAY SCHEDULE

No exams on the following holidays:

New Year's Day

Memorial Day

Labor Day

Christmas Day

Martin Luther King, Jr. Day

Independence Day

Thanksgiving

